



# A G E N D A

## OCONEE COUNTY COUNCIL MEETING

Tuesday, May 4, 2010

6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

1. Call to Order
2. Public Comment Session *(Limited to forty (40) minutes, four (4) minutes per person.)*  
Comments MUST be related to a specific agenda item slated for action at this meeting
3. Extended Public Comment Session *(Limited to 2 citizens per meeting, prior scheduling required with Clerk to Council, five [5] minutes per person. Comments not limited to specific agenda item)*
  - No Citizens Signed up for Public Comment at this meeting.
4. Meeting Recess *[Meeting will Recess no later than 6:50 p.m.]*

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5. Meeting Reconvenes *[Meeting will Reconvene at 7:00 p.m.]*
6. Moment of Silence
7. Pledge of Allegiance to the Flag of the United States of America
8. Approval of Minutes:
  - April 20, 2010: Regular Meeting
9. Public Hearings regarding the Following Ordinances:  
Ordinance 2010-04 "AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES 2006-27 AND 2008-17 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK" along with the Second Amendment of Agreement for Development for Joint Industrial Park.
10. Consideration of the Following Resolutions:  
[1] First & Final Reading of Resolution R2010-05 A RESOLUTION AUTHORIZING THE TERMINATION OF AN EXISTING AGREEMENT, DATED JULY 18, 2006, AND TO AUTHORIZE A USE AND MAINTENANCE AGREEMENT WITH THE SOUTH CAROLINA FOOTHILLS HERITAGE FAIR, ALL WITH REGARDS TO THAT CERTAIN OCONEE COUNTY PROPERTY LOCATED, GENERALLY, AT 1220 HIGHWAY 59, FAIR PLAY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO" along with Lease Agreement.
11. Consideration of the Following Ordinances:  
[1] Third & Final Reading as amended of Ordinance 2010-02 "AN ORDINANCE TO ESTABLISH CENTRALIZED PROCUREMENT REGULATIONS FOR OCONEE COUNTY, REPLACING ORDINANCE 2001-15 AND AMENDMENT ORDINANCE 2002-12."  
**It is the staff's recommendation that Council approval of Ordinance 2010-02 as amended without a local vendor preference which treats all vendors fairly and equally.**  
**If County Council desires to include a local vendor preference, then staff recommends the following language be added to the amended Ordinance 2010-02:**  
The lowest local responsible and responsive bidder who is within two percent (2%) of the lowest non-local responsible and responsive bidder, may match the bid submitted by the non-local responsible and responsive bidder and thereby be awarded the contract. The local preference as set forth in this section shall only be applied to responses to solicitations of written quotes and invitations to bid in excess of ten thousand dollars (\$10,000.00). The local preference as set forth in this section shall only be given to local responsible and responsive bidders who have a physical business address located and operating within Oconee County and who have met all other requirements of the solicitations of written quotes or the invitation to bid, including, without limitation, payment of all duly assessed state and local taxes. If state or federal guidelines prohibit or otherwise limit local preference, then the County shall not use local preference in awarding the contract. If there are multiple responsible and responsive bidders who meet the local preference guidelines as set forth in this section, the County shall use standard procurement practice and procedure as set forth in this Article to determine the priority of selection. The local preference as set forth in this section does not waive or otherwise abrogate the County's unqualified right to reject any and all bids or proposals or accept such bids or proposals, as appears in the County's own best interest.

[2] Third & Final Reading of [Ordinance 2010-04](#) “AN ORDINANCE TO AMEND THE AGREEMENT AUTHORIZED BY ORDINANCES 2006-27 AND 2008-17 RELATING TO THE INDUSTRIAL/BUSINESS PARK OF OCONEE AND PICKENS COUNTIES SO AS TO ENLARGE THE PARK” along with the [Second Amendment of Agreement](#) for Development for Joint Industrial Park.

[3] Third & Final Reading of [Ordinance 2010-05](#) “AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF SPECIAL SOURCE REVENUE BONDS OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM OF BONDS; LIMITING THE PAYMENT OF THE BONDS SOLELY TO THE PLEDGED REVENUES RECEIVED AND RETAINED BY THE COUNTY FROM THE PAYMENT OF FEES IN LIEU OF TAXES FROM CERTAIN JOINT COUNTY INDUSTRIAL AND BUSINESS PARKS AND PLEDGING THE PLEDGED REVENUES TO SUCH PAYMENT; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING”

[4] Third & Final Reading of [Ordinance 2010-06](#) “A FIRST SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF A NOT EXCEEDING \$3,500,000 SPECIAL SOURCE REVENUE BOND, SERIES 2010, OF OCONEE COUNTY, SOUTH CAROLINA; PRESCRIBING THE FORM AND DETAILS OF SUCH BOND; AUTHORIZING THE CHAIRMAN OR VICE-CHAIRMAN AND THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.”

[5] Third & Final Reading of [Ordinance 2010-07](#) AN ORDINANCE TO DEVELOP A JOINT COUNTY BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SOUTH CAROLINA (“PICKENS COUNTY”), SUCH BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN OCONEE COUNTY, SOUTH CAROLINA (“OCONEE COUNTY”) AND ESTABLISHED PURSUANT TO ARTICLE VIII, SECTION 13 OF THE SOUTH CAROLINA CONSTITUTION, AND SOUTH CAROLINA CODE OF LAWS OF 1976 §4-1-170, ET SEQUITUR, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE PAYMENT OF EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES-IN-LIEU OF *AD VALOREM* TAXES TO OCONEE COUNTY, PICKENS COUNTY AND RELEVANT TAXING ENTITIES; TO PROVIDE THAT JOBS TAX CREDITS ALLOWED BY LAW BE PROVIDED FOR BUSINESSES LOCATING IN SAID PARK; TO PERMIT A USER FEE-IN-LIEU OF *AD VALOREM* TAXATION WITHIN SAID PARK; AND OTHER MATTERS RELATED THERETO” & [Agreement for Development of Joint Industrial Park](#).

[6] First Reading of [Ordinance 2010-18](#) “AN ORDINANCE TO AUTHORIZE THE LEASING OF CERTAIN OCONEE COUNTY SPACE; AND OTHER MATTERS RELATED THERETO.

*[Lease will be presented for review and approval at second reading of the ordinance.]*

## 12. Discussion & Possible Action Items

*[5 min. per Action Item]*

### [1] Solid Waste / Professional Engineering Services / \$82,000 / Methane Extraction Wells

In 2001-2002 Oconee County Solid Waste installed an active gas remediation (methane flare) system to extract the methane from the landfill and this gas is burnt off by way of a flare. The existing wells are six inch in diameter, 20-40 feet deep and hollow with no stone walls, which have allowed them to collapse. Many of these wells have quit producing and SC DHEC is now requiring replacement wells (see letter as attachment #1). The new wells will be constructed with a 3 foot diameter, filled with stone, and the depth will be determined by the depth of the waste in the landfill. This contract allows for 1,000 feet of wells to be installed and the number of wells will vary between 10 and 20 depending on the depth of the waste.

The County has used B. P. Barber & Associates since 2007 for a variety of engineering projects for the Solid Waste department including the landfill gas system assessment, well sampling, ground water and methane well monitoring systems, and sampling and analysis. B.P. Barber currently manages the groundwater monitoring as well as any methane issues that arise from the quarterly monitoring that Solid Waste staff perform. B. P. Barber will be coordinating and observing the installation of the replacement methane extraction wells.

Under the Request for Qualifications # 06-17 for Professional Services, B. P. Barber & Associates was selected as qualified to provide Environmental and Engineering services. County Council approved a contract and fee schedule Feb 20, 2007 and this contract is in its third renewal period.

SC DHEC is requiring these methane extraction wells to be installed to bring the landfill back into compliance.

**It is the staffs recommendation the award of this contract for professional engineering services to B. P. Barber and Associates of Columbia, SC, in the amount of \$82,000.00 for the installation of methane extraction wells for the Solid Waste department noting that this amount includes a \$2,000 contingency.**

**[2] RFP 09-16 / \$479,342 / Workers' Compensation Insurance**

For the past 12 years Oconee County has participated in an insurance pool for workers' compensation insurance, including all but two counties in South Carolina, through the SC Association of Counties and a cooperative purchasing agreement. The County was satisfied with this arrangement, but decided to issue an RFP for these services to see if the County was receiving the best coverage and services for the lowest possible annual premium. The specifications of the RFP stated that the County wanted to be fully insured with no deductible for all workers' compensation claims. The County covers a wide range of workers with varied job classifications (relating to safety/risk involved) including approximately 450 employees, 350 volunteer firefighters, 160 volunteer EMT's and prison inmates that work for the County.

On March 30, 2010, formal sealed proposals were opened for Workers' Compensation Insurance. Nine firms were originally notified of this opportunity and four firms' submitted proposals. An evaluation committee consisting of Kay Olbon, Human Resources Director, Sheila Wald, Risk Manager, Scott Orr, Risk Manager for the Oconee County School District and Matt Gantt, Health Insurance Broker for Oconee County, reviewed all responses and recommended SCCWCT of Columbia, SC, as the most qualified firm to perform these services.

**It is the staff's recommendation to approve the award of RFP 09-16, Workers' Compensation Insurance to the South Carolina Counties Workers' Compensation Trust (SCCWCT) of Columbia, SC in the amount of \$479,342.00 for the annual premium amount for FY 2010-2011 and also approve the renewal of this contract for four additional one year periods.**

**[3] Public Works / Bid #09-13 / \$140,290 / Pre-Engineered Metal Building (PEMB)**

The PEMB will be used to store vehicles, equipment and supplies used by the Roads Department. This covered storage area will protect the vehicles and equipment from the elements. It will also extend the life and overall appearance and performance of the vehicles and the equipment. The PEMB is classified as an Essential Use Facility.

On Tuesday, April 6, 2010, formal sealed bids were opened for a 60' x 200' x 16' PEMB. Bid submittals included materials and labor to construct and install a PEMB to store road and bridge maintenance equipment and vehicles. Twenty-five (25) companies were originally notified of this bid opportunity. Seventeen (17) companies submitted bids, with Able Constructors Inc. of Greenville, SC submitting the lowest bid of \$140,290.00.

**It is the staff's recommendation to award Bid #09-13, Pre-Engineered Metal Building (PEMB) for Oconee County Public Works Facility to Able Constructors, Inc. of Greenville, SC in the amount of \$140,290.00.**

**[4] Solid Waste / Bid 09-21 / \$129,182 / Roll-Off Truck with Hoist and Tarp System**

The Solid Waste Department is replacing a 1993 Ford LNT 9000 roll-off truck. The truck has been out of operation for several months and has an extensive list of items to be replaced or repaired including but not limited to the hoist hydraulic cylinders, the tarp system, and all tires. This truck has been in the fleet for 17 years, it is well past its useful life, and will be sold on GovDeals.

On April 13, 2010, formal sealed bids were opened. Ten companies were originally notified of this bid opportunity. We received nineteen bids and one no-bid. The low bid of \$124,300.00 submitted by Carolina International of Greer, SC did not meet specifications (has manual transmission). Nulife Environmental, Inc of Easley, SC submitted the next lowest bid of \$129,182.00.

**It is the staff's recommendation to award Bid 09-21, Roll-Off Truck with Hoist and Tarp System to Nulife Environmental, Inc of Easley, SC in the amount of \$129,182.00.**

**[5] Council Discussion regarding New Oconee County Library Branch / Seneca**

13. Board & Commission Appointments *[None Scheduled for this meeting]*
14. Commission / Board Reports to Council [ten minute maximum] *[None Scheduled for this meeting]*  
*[Economic Development Commission will report on May 18, 2010]*
15. Council Committee Reports
  - Budget, Finance & Administration / Mr. Dexter
  - Law Enforcement, Public Safety, Health & Welfare / Mr. McCall
16. Administrator Report
17. Old Business
18. New Business
19. Adjourn

**[This agenda is not inclusive of all issues which Council may bring up for discussion at this meeting.]**

Oconee County Council & Committee meeting schedules and agendas are posted at the Oconee County Administration Building and are available on the County Council Website [www.oconeesc.com/council.html](http://www.oconeesc.com/council.html)

[All upcoming meetings will be held in Council Chambers unless otherwise noted]